

KODERT GREENE SLETIE
EDWARD J. KESSIER
JORGE A. GOLdstein
David K.S. Comwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Lawrence B. Bugaisky
Donald J. Featherston
Michael V. Messinger

Judith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Jeffrey T. Helvey-Heidi L. Kraus Crystal D. Sayles Edward W. Yee Albert L. Ferro* Donald R. Banowit Peter A. Jackman Molly A. McCall Teresa U. Medler Jeffrey S. Weaver Kendrick P. Pattersor Vincent L. Capuano Albert J. Fasulo II* Eldora Ellison Flow W. Russell Swindell

DT06 Rec'd PCT/PTO

homas C. Hala Brian J. Del Buono Virgil Lee Beaston Reginald D. Luca's Kimberly N. Reddick Theodore A. Wood Elizabeth J. Haanes Bruce E. Chalker Goseph S. Ostroff Frank R. Cottingham Christine M. Hullier Rae Lynn Prengaman Jane Shershenovich' Lawrence J. Carroll' George S. Bardmesen Daniel A. Klien' Rodney G. Maze Jason D. Eisenberg Michael A. Specht'

Registered Patent Agents*
Karen R. Markowicz
Andrea J. Kamage
Nancy J. Leith
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung
Katima Y. Pei
Bryan L. Skelton
Robert A. Schwartzman
John J. Figueroa
Timothy A. Doyle
Jennifer R. Mahalingappa

1 1 OCT 2002

ents* <u>Senior C</u> Samuel i Kenneth Lisa A. C

Senior Counsel Samuel L. Fox Kenneth C. Bass III Lisa A. Dunner

*Admitted only in Maryland *Admitted only in Virginia *Admitted only in Texas *Practice Limited to

Federal Agencies

WRITER'S DIRECT NUMBER: (202) 371-2582

INTERNET ADDRESS:
PJACKMAN@SKGF.COM

October 11, 2002

Commissioner for Patents Washington, D.C. 20231

Box Missing Parts

Re: National Phase of PCT/CA00/01150

Appl. No. 10/089,177; § 371 Date: To Be Determined

For: Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archael, Bacterial, Fungal and Parasitical Microorganisms from Clinical Specimens for Diagnosis

Inventors:

Bergeron et al.

Our Ref:

1619.0090000/SRL/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

- Photocopy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- 2. Second Preliminary Amendment and Submission of Substitute Sequence Listing;
- 3. Paper copy of the substitute Sequence Listing;
- 4. One compact disc with the following:

Machine format:

IBM-PC

Operating system capability:

MS-Windows NT

Files contained on disc:

Sequence listing (compiled).txt

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 † 202.371.2540 : www.skgf.com

Commissioner for Patents October 11, 2002 Page 2

File size:

1.90 MB (1,998,734 bytes) October 8, 2002; and

Date of file creation:

5. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Peter A. Jackman

Attorney for Applicants Registration No. 45,986

PAJ:aye Enclosures

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 2023

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY, DOCKET NO.	
10/089,177	Michel G Bergeron	1619.0090000/SRL/PJA INTERNATIONAL APPLICATION NO. PCT/CA00/01150	
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26111	IPE	I.A. FILING DATE	PRIORITY DATE
STERNE, KESSLER, GOLDSTEIN & FOX P		09/28/2000	

WASHINGTON, DC 20005-3934



CONFIRMATION NO. 9698 371 FORMALITIES LETTER OC000000008605381*

Date Mailed: 08/14/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- · U.S. Basic National Fees
- Indication of Small Entity Status
- Assignee Statement
- Biochemical Sequence Listing
- Copy of the International Application
- · Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items MUST be furnished within the period set forth below:

 The nucleotide and/or amino acid sequence disclosure contained in this application does not comply requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

Seg Listing Du October 14,2002 (TAT BAR March 14,2003

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- APPLICANT MUST PROVIDE:

5

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase Patentin Software, call (703) 306-2600
 - For Patentln Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,177	PCT/CA00/01150	1619.0090000/SRL/PJA

FORM PCT/DO/EO/905 (371 Formalities Notice)